

REMARKS

The Examiner's indication of allowable subject matter is noted with appreciation.

Claims 1-2, 4-9, 11, 14-19, 21-23 and 34-37 are pending in the application. Several claims have been amended to improve claim language. Claim 20 is incorporated in claim 19 and, hence, cancelled. New claims 34-37 readable on the elected invention have been added to provide Applicants with the scope of protection to which they are believed entitled. No new matter has been introduced through the foregoing amendments.

The drawing objection is believed overcome in view of the amendment to claim 5. No drawing correction is deemed required. Withdrawal of the objection is now believed appropriate and therefore respectfully requested.

The 35 U.S.C. 112, *first paragraph*, rejection of claims 1-2, 4-9, 11, and 14-23 is believed overcome in view of the amendment to claim 1. Withdrawal of the 35 U.S.C. 112, *first paragraph* rejection is now believed appropriate and therefore respectfully requested.

The 35 U.S.C. 103(a) rejections relying on *Gifford* and *Desmond* are noted. The Office alleges that it would have been obvious to have modified *Gifford* to include a pressure take off point coaxial with and opposite the valve as taught by *Desmond*. See the Office Action at page 6, line 1.

As to **independent claim 1**, Applicants respectfully submit that assuming *arguendo* the references were properly combinable, the combined device would fail to teach or disclose the feature of claim 1 that "the pressure take off point is positioned...outside a second plane that is perpendicular to a longitudinal axis of the housing and contains an axis of the valve." The claim feature finds support in at least Fig. 1 which discloses that the pressure take off point 9 is positioned outside a plane perpendicular to a longitudinal axis of the housing and contains an axis of the valve, i.e., the plane perpendicular to the paper plane and passing through the axis of the valve 6.

In the Office's proposed combination, the pressure take off point would be coaxial with the valve of *Gifford*, i.e., on, rather than outside, the plane that is perpendicular to a longitudinal axis of the housing (see the arrow in Fig. 1 of *Gifford*) and contains an axis of the valve.

Further, the pressure take off point coaxial with the valve of *Gifford* in the Office's combination would fail to teach or disclose the claimed pressure take off point which is either "facing the exit of the air outlet across said second plane," (see, e.g., Fig. 1 of the instant application for support) or "separated, in a direction parallel to the longitudinal axis of the housing, from the entry of the air inlet by said taper of the segmental cross-sectioned portion of the inlet cavity" (see, e.g., Fig. 8 of the instant application for support).

The deficiency of *Gifford* and *Desmond* is not deemed curable by the teaching references, and therefore independent claim 1 is patentable over the applied art of record.

Independent claim 25 stands allowed.

New **independent claim 34** includes features similar to those discussed with respect to claim 1, and is patentable over the applied art of record for at least the relevant features advanced with respect to claim 1.

The **dependent claims, including the new claims**, are considered patentable at least for the reason(s) advanced with respect to the respective independent claim(s).

All claims in the present application are now believed in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN HAM & BERNER, LLP

A handwritten signature in black ink, appearing to read 'Benjamin J. Hauptman', is written over a vertical line that extends from the signature down to the printed name below.

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